

REMARKS/ARGUMENTS

Claims 1, 2, 4-8, 10-15 and 19-22 are pending in the application. Claims 1 and 15 have been amended to further distinguish the invention by incorporating therein the subject matter recited by claims 10 and 11. No new matter is added by these amendments. Claims 10 and 11 have, accordingly, been canceled without prejudice or disclaimer. Additionally, claim 12 has been amended to change the dependency from claim 10 to claim 1, due to the cancellation of claim 10. Entry of this Amendment into the file of the present application is respectfully solicited as it is believed to place the entire application in condition for allowance or, at a minimum, to materially reduce the issues for an appeal. Upon entry of the Amendment, claims 1, 2, 4-8, 12-15 and 19-22, as amended, will remain in the application.

Claim Rejections Under 35 U.S.C. §112

Claims 1, 2, 4-8, 10-14 and 19-22 are rejected under 35 U.S.C. §112 as allegedly indefinite due to the inclusion of the phrase “said portion of the wick” in claim 1 (Office Action, p. 2). Claim 1 has therefore been amended to replace, “said portion of the wick” with “said upper part of the wick”. This amendment is believed to overcome the Examiner’s rejection under 35 U.S.C. §112, which should, therefore, be withdrawn.

Allowable Subject Matter

Applicants note with appreciation the indication at p. 3 of the Office Action that claims 5, 11, 12 and 21 contain allowable subject matter. Specifically, the Office Action states that these claims would be allowable if rewritten to overcome the rejection under §112, second paragraph, discussed above, and to include all of the limitations of the base claim and any intervening claims.

Claim Rejections Under 35 U.S.C. §102

Claims 1, 2, 4, 6, 7, 8, 10, 13, 14, 15, 19, 20 and 22 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S.P. No. 6,917,754 to Pedrotti et al. (“Pedrotti”) for the reasons given on pps. 2-4 of the Office Action. This ground of rejection is respectfully traversed.

The Pedrotti reference is discussed in detail and the features which are believed to distinguish the device and the method of the invention over the subject reference are discussed at pps. 7-9 of applicants’ response dated August 1, 2006 to the previous Office Action issued in this application. Those arguments are specifically incorporated into this Amendment by reference thereto.

Nevertheless, in an effort to advance the progress of this application and pursuant to the Examiner's indication of allowable subject matter in, *inter alia*, claims 10 and 11 as indicated above, applicants have amended the independent claims of their application, nos. 1 and 15, to recite the allowable subject matter of claims 10 and 11. Claims 10 and 11 have accordingly, as noted above, been canceled without prejudice or disclaimer.

Claim 1 has, thus, been amended in a manner which is believed to overcome both the rejection under 35 U.S.C. §112 (see above) and the rejection under 35 U.S.C. §102(e) and, as such, the claim is believed to be in condition for allowance. Additionally, the claims which depend from claim 1 are also believed to be in condition for allowance for the same reasons as claim 1.

Still further, method claim 15 (written in independent form) has also been amended to recite the subject matter of claims 10 and 11 and, as such, claim 15 is also believed to be in condition for allowance.

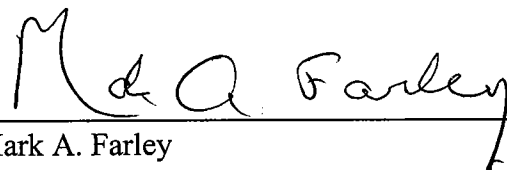
Summary

The Examiner is respectfully requested to withdraw all of his rejections of applicants' claims and to pass this entire application through to allowance, early notice of which is respectfully requested.

If the Examiner believes that an interview would advance the prosecution of this case, he is respectfully invited to telephone applicants' representative at the number below in order that such an interview may be arranged.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING
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EFS FILING SYSTEM
ON DECEMBER 12, 2006


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